

The present is directed to a process for the production of steel pans, which provides consistent, efficient manufacture of the pans. The invention further provides the resulting articles, characterized by their uniformity and consistency.

The applicants respectfully traverse the rejection of Claims 1-14 under 35 U.S.C. 112 as set forth in numbered section 2 of the Office Action.

With regard to the comments in paragraph (A) of section 2, the language as originally presented is considered to be clear in light of a full reading of the specification and claims. The process claimed is for the production of a single pan. The pan contains a plurality of individual raised convex note producing shapes formed therein. The first step the claimed process involves determining the shape and dimensions of a selected Caribbean steel pan or more than one steel pan. If more than one pan is used, the compilation resulting from step (b) is based on the plurality of pans. Thus, the mold created in step (c) is for only one pan, even if the topographic data that went into its preparation is obtained from more than one pan.

With regard to the comment in paragraph (B) of section 2, the phrase "consisting essentially of" in Claim 12 is used in its recognized meaning, namely, that the metal disc does not contain any metal other than steel that would materially affect the basic characteristics of the pan. This meaning has been well established by judicial precedent, as discussed in Section 2111.03, M.P.E.P. Accordingly, no further modification of the language considered necessary, and the withdrawal of this rejection is in order.

The applicants respectfully traverse the rejection under 35 U.S.C. 102(b) set forth in numbered section 4 of the Office action. Claim 14 defines a Caribbean steel pan resulting from the process of Claim 1. While the present process substantially replicates the pan or pans from which the shape and dimensions are determined in step (a) of the process, there are subtle differences even between pans made by the instant process. As indicated in the present specification at page 4, line 24 to page 5, line 6, the pans of the present invention are preferably coarse or fine tuned after trimming, or both. Such tuning results in subtle variations in the final product. Moreover, if the first step of the process involves determining an average shape and dimensions of more than one steel pan, the end product will also differ from any one of the selected Caribbean steel pans from which the shape and dimensions are

compiled in step (b). In this regard, no two hand made pans are alike, differing in metal stretching, metal thickness, roundness, depth, curvature, note location and size. In addition, the pans resulting from the instant process have precise dimensional control, perhaps the most striking difference from a single pan after which they are fashioned.

In compliance with the Examiner's request in numbered section 5 of the Office Action, a complete copy of the Handbook for Steel Pan Making is submitted herewith. Particularly pertinent are pages 15-63.

The applicants note the objections regarding the drawings embodied in the Notice of Draftsperson's Patent Drawing Review. It is requested that correction be deferred until allowance of the application.

The reference cited in section 6 of the Office Action, Kluczynski et al., U.S. Patent 5,330,848, has been reviewed, and the applicants concur with the Examiner's conclusion that it does not adversely reflect on the patentability of the instant invention. Steel pans generally, and those of the present invention specifically, do not use wooden resonator bodies. The applicants further note with appreciation the indicated allowability of Claims 1-13 over the art of record.

In view of the above considerations, Claims 1 to 14 are considered to define the invention clearly and with all of the specificity required under 35 U.S.C. 112, and to represent a novel and unobvious advance in the art. Accordingly, the prompt issuance of a Notice of Allowance for these claims is in order. If, for reasons not understood by the applicants, any issues remain outstanding, the Examiner is urged to contact the undersigned attorney by telephone to expedite their resolution.

Respectfully submitted,



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Enclosure
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